



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

August 4, 2016

Certified Mail

7012 3460 0003 1112 8212

Craig Fox, Manager
Fulton Water Company
P.O. Box 1709
Carnelian Bay, CA 96140

TRANSMITTAL OF CITATION NO. 01-02-16C-016

Dear Mr. Fox:

The State Water Resources Control Board (Board) Division of Drinking Water has issued the Fulton Water Company a citation, which is attached.

If you have any questions, please contact Michael Burgess at (530) 224-6506 or me at (530) 224-4800.

A handwritten signature in black ink, reading "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
DRINKING WATER FIELD
OPERATIONS BRANCH

Enclosures

cc: Richard L. Hinrichs, Chief, DDW-Northern California Section
Placer County Department of Environmental Health

3110015/Enforcement
08012016 Cit Ltr/mtb

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

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Attn: Craig Fox, Manager

Issued on August 4, 2016

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the Fulton Water Company

(hereinafter, Company) (P.O. Box 1709 Carmelien Bay, CA 96140) for violation of Title 22, Sections 64426 and 64426.1 of the California Code of Regulations (CCR).

APPLICABLE AUTHORITIES

Section 116650 of California Health and Safety Code provides:

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.



Title 22, Section 64426 of the California Code of Regulations states:

(a) Any of the following criteria shall indicate a possible significant rise in bacterial count:

(1) A system collecting at least 40 samples per month has a total coliform-positive routine sample followed by two total coliform-positive repeat samples in the repeat sample set;

(2) A system has a sample which is positive for fecal coliform or *E. coli*; or

(3) A system fails the total coliform Maximum Contaminant Level (MCL) as defined in Section 64426.1.

(b) When the coliform levels specified in subsection (a) are reached or exceeded, the water supplier shall:

(1) Contact the State Board by the end of the day on which the system is notified of the test result or the system determines that it has exceeded the MCL, unless the notification or determination occurs after the State Board office is closed, in which case the supplier shall notify the State Board within 24 hours; and

(2) Submit to the State Board information on the current status of physical works and operating procedures which may have caused the elevated bacteriological findings, or any information on community illness suspected of being waterborne. This shall include, but not be limited to:

(A) Current operating procedures that are or could potentially be related to the increase in bacterial count;

(B) Any interruptions in the treatment process;

(C) System pressure loss to less than 5 psi;

(D) Vandalism and/or unauthorized access to facilities;

(E) Physical evidence indicating bacteriological contamination of facilities;

(F) Analytical results of any additional samples collected, including source samples;



1 (G) Community illness suspected of being waterborne; and

2 (H) Records of the investigation and any action taken.

3 (c) Upon receiving notification from the State Board of a significant rise in bacterial count,
4 the water supplier shall implement the emergency notification plan required by Section
5 116460, Health and Safety Code.

6
7 **Title 22, Section 64426.1 of the California Code of Regulations provides in relevant part:**

8 (b) A public water system is in violation of the total coliform MCL [maximum
9 contaminant level] when any of the following occurs:

10 (1) For a public water system which collects at least 40 samples per month,
11 more than 5.0 percent of the samples collected during any month are total
12 coliform-positive; or

13 (2) For a public water system which collects fewer than 40 samples per month,
14 more than one sample collected during any month is total coliform-positive;
15 or

16 (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or

17 (4) Any repeat sample following a fecal coliform-positive or E. coli-positive
18 routine sample is total coliform-positive.

19
20 **STATEMENT OF FACTS**

21
22 The Fulton Water Company is classified as a community water system. The Company serves
23 920 active service connections in the Carnelian Bay area on the west shore of Lake Tahoe.
24 The water system is currently served by three active well sources; the Cedar Flat, Pinewood,
25 and Links Wells; and two surface water intakes on Lake Tahoe. The Company provides

1 multi-barrier surface water treatment of the Lake Tahoe sources and hypochlorination of the
2 three Wells prior to distribution to its customers.

3
4 On Monday, June 13, 2016, the Company collected four routine bacteriological samples from
5 the distribution system, which were then picked-up by a courier employed by WET Lab, the
6 water testing laboratory employed by the Company. On Tuesday, June 14, 2016, WET Lab
7 notified the Division that three samples had tested positive for total coliform bacteria but absent
8 for E. coli. The fourth sample had been invalidated by WET Lab in accordance with Title 22,
9 Section 64425(b) of the CCR due to excessive turbidity in the sample bottles following
10 incubation. The Division directed the Company to collect a total of 11 repeat samples, one from
11 each of the three routine sites that tested positive for total coliform bacteria, three from sites
12 within five connections upstream of the total coliform positive routine sites, three from sites
13 within five connections downstream of the total coliform positive routine sites, and two samples
14 prior to chlorination from the Cedar Flat and Pineywood Wells, which were in use at the time of
15 the sampling.

16
17 On Friday, June 17, 2016, WET Lab notified the Division that all 11 repeat samples collected
18 from the Fulton water system, including the samples collected from the Cedar Flat and
19 Pineywood Wells, had tested absent for total coliform bacteria and absent for E. coli bacteria.
20 On June 17, 2016, the Company was directed by email to conduct an assessment of the water
21 system for potential causes of the total coliform positive samples. A replacement sample
22 collected on June 28, 2016, to replace the invalidated sample collected on June 13, 2016, also
23 tested absent for total coliform bacteria.

24
25 On July 28, 2016, the Division received a copy of the "Company's Positive Total Coliform
26 Investigation Form." The Company was unable to determine a probable cause of the total
27 coliform positive samples. The Company reported a measurable chlorine residual in all routine,



1 repeat, and replacement samples collected from the distribution system. The cause of the total
2 coliform positive samples is undetermined at this time.

3
4 **DETERMINATIONS**

5
6 The Division has determined that the Company violated Title 22, Section 64426.1(b)(2) of the
7 California Code of Regulations during June 2016. Specifically, the Company exceeded the
8 total coliform maximum contaminant level during the month of June 2016.

9
10 **DIRECTIVES**

11
12 The Company is hereby directed to take the following actions:

- 13
14 1. Comply with Title 22, Section 64426.1 of the California Code of Regulations during all
15 future monthly monitoring periods.
- 16
17 2. Within 30 days of the issuance of this Citation, but in no case later than **September 5,**
18 **2016**, notify all persons served by the Company of the MCL violation as required by Title
19 22, Sections 64463.4 and 64465 of the CCR. Notification shall be completed by
20 publication in a local newspaper **and** by hand delivery or direct mail of the notice to all
21 customers served by the Company. No changes shall be made to Attachment 'A' unless
22 approved by the Division.
- 23
24 3. Complete and return Attachment 'B' entitled "Certification of Completion of Public
25 Notification" within 10 days of providing notification of all persons served by the
26 Company, but in no case later than **September 15, 2016**. A copy of the notification that



1 was provided to users due to the total coliform MCL exceedance in June 2016 shall be
2 included with the form.

3
4 Unless otherwise noted, all documents required under this Citation shall be submitted to the
5 Board at the following address:

6
7 Michael J. McNamara, P. E.
8 Lassen District Engineer
9 Division of Drinking Water
10 State Water Resources Control Board
11 364 Knollcrest Drive, Suite 101
12 Redding, CA 96002

13
14 As used in this Citation, the date of issuance shall be the date of this Citation; and the date of
15 service shall be the date of service of this Citation, personal or by certified mail, on the water
16 system.

17
18 Nothing in this Citation relieves the Company of its obligation to meet the requirements of the
19 California SDWA or any regulation, permit, standard or order issued or adopted thereunder.
20 The Division reserves the right to make such modifications to this Citation, as it may deem
21 necessary to protect public health and safety. Such modifications may be issued as
22 amendments to this Citation and shall be effective upon issuance.

23
24 **FURTHER ENFORCEMENT ACTION**

25 The California SDWA authorizes the Board to: issue a citation with assessment of administrative
26 penalties to a public water system for violation or continued violation of the requirements of the
27 California SDWA or any regulation, permit, standard, citation, or order issued or adopted
28 thereunder including, but not limited to, failure to correct a violation identified in a citation or
29 compliance order. The California SDWA also authorizes the Board to take action to suspend or

1 revoke a permit that has been issued to a public water system if the system has violated
 2 applicable law or regulations or has failed to comply with an order of the Board; and to petition
 3 the superior court to take various enforcement measures against a public water system that has
 4 failed to comply with or violates an order of the Board. The Board does not waive any further
 5 enforcement action by issuance of this citation.

6
 7 **PARTIES BOUND**

8 This Citation shall apply to and be binding upon the Company, its officers, directors,
 9 shareholders, agents, employees, contractors, successors, and assignees.

10
 11 **SEVERABILITY**

12 The Directives of this Citation are severable, and the Company shall comply with each and
 13 every provision thereof, notwithstanding the effectiveness of any other provision.

14
 15
 16 8-4-2016
 17 Date

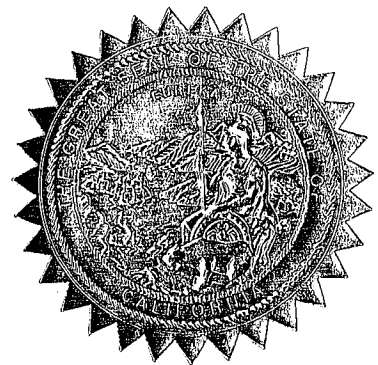
Michael J. McNamara
 Michael J. McNamara, P.E.
 Lassen District Engineer
 Division of Drinking Water
 State Water Resources Control Board

21
 22 Attachments:

23 'A' Public Notice

24 'B' Certification of Completion of Public Notification

25
 26 CERTIFIED MAIL 7012 3460 0003 1112 8212



IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Fulton Water Company Had Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We took 15 samples to test for the presence of coliform bacteria during June 2016. Three of those samples showed the presence of total coliform bacteria. The standard is that no more than one sample per month may show the presence of coliform bacteria.

What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

What happened? What was done?

Three routine samples collected on June 13, 2016, tested positive for total coliform bacteria but absent for E. coli. The lab notified the Company of these results on June 14, 2016, following the completion of the tests, and the Company collected a total of 11 repeat samples on June 16, 2016, including two samples from our two active well sources. All 11 repeat samples tested absent for total coliform bacteria, indicating that there was no longer any contamination in the distribution system or well.

For more information, please contact Craig Fox at 530-583-3644 or P.O. Box 1709 Carnelian Bay, CA 96140.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.

Secondary Notification Requirements

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Fulton Water Company

State Water System ID#: 3110015 Date distributed: _____

CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

Public Water System Name Fulton Water Company

Public Water System No. 3110015

_____The notice was published in the local newspaper on _____. A copy of the newspaper notice is attached.

_____The notice was mailed to users on _____. A copy of the notice is attached.

_____The notice was hand delivered to water customers on _____. A copy of the notice is attached.

The attached notice was posted in the following conspicuous places:

For this method, provide the date (or dates) that the notice was posted _____

I hereby certify that the above information is factual.

Printed Name _____

Signature _____

Date _____